

REMARKS

Applicants have carefully reviewed this Application in light of the Final Office Action mailed November 1, 2005. Claims 1-30 are pending in this Application. Claims 1-30 stand rejected under 35 U.S.C. § 102(b). Applicants have amended Claims 11 and 25 to further define various features of Applicants' invention. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 102

Claims 1-30 stand rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,978,770 issued to William Waytena et al. ("Waytena").

Waytena discloses a system and method for assigning and managing patron reservations for one or more of a plurality of attractions. A patron uses a personal communication device (PCD) to request a reservation for a particular attraction. (Col. 3, Lines 11-12). An attraction computer then processes the incoming reservation request to determine whether and when the reservation can be accommodated. (Col. 3, Lines 12-17). If the request is valid, the attraction computer transmits a proposed reservation time to the patron on the PCD and the patron elects to confirm or reject the reservation. (Col. 3, Lines 17-23).

Claim 1, as amended, recites:

1. A method for facilitating mediated virtual communication, comprising:

receiving, by a mediation system from a mediation subscriber communication device, a service reservation selection, the service reservation selection identifying a service action selected by a mediation subscriber from a plurality of service actions displayed to the mediation subscriber by the mediation subscriber communication device;

determining, by the mediation system, a context associated with the service reservation selection, the context comprising information regarding the availability of the mediation subscriber; and

in response to determining the context associated with the service reservation selection, determining, by the mediation system, a plurality of contextual arrangement options regarding the service action selected by the mediation subscriber, at least one of the plurality of contextual arrangements options being determined based on the determined context associated with the service reservation selection.

Waytena fails to disclose, teach or suggest this combination of limitations. For example, Waytena fails to disclose, teach or suggest “determining, by the mediation system, a context associated with the service reservation selection, the context comprising information regarding the availability of the mediation subscriber,” as specifically recited in Claim 1. The Examiner specifically asserts that “Waytena teaches...determining, by the mediation system, a context associated with the service reservation selection, the context comprising information regarding the availability of the mediation subscriber (see Col. 3, lines 13-17, ‘...determine...the reservation can be accommodated’).” (Final Office Action, Page 3) Waytena, however, discloses an attraction computer that uses patron description data received from the patron via the PCD to determine if the patron is allowed to attend the attraction. (Col. 8, Lines 32-43). The patron description data includes characteristics of the patron such as age, height and weight. (Col. 7, Lines 29-31). Waytena, therefore, fails to teach “determining, by the mediation system, a context associated with the service reservation, the context comprising information regarding the availability of the mediation subscriber,” as recited in Claim 1. For at least these reasons, the cited references fail to disclose the recited limitations and, therefore, cannot anticipate Claim 1. For reasons similar to those cited above with respect to Claim 1, Waytena also fails to disclose, teach or suggest the limitations recited in Claims 11, 15, 25 and 29 and, therefore, cannot anticipate Claims 11, 15, 25 and 29.

Given that Claims 2-10 depend from Claim 1, Claims 12-14 depend from Claim 11, Claims 16-24 depend from Claim 15, Claims 26-28 depend from Claim 25, and Claim 30 depends from Claim 29, Applicants respectfully submit that Claims 2-10, 12-14, 16-24, 26-28 and 30 are allowable. As such, Applicants respectfully request that the Examiner withdraw the rejections and allow Claims 1-30.

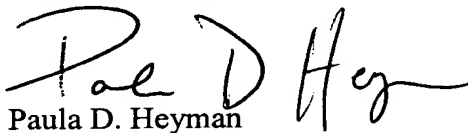
CONCLUSION

Applicants appreciate the Examiner's careful review of the application. Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. For the foregoing reasons, Applicants respectfully request reconsideration of the rejections and full allowance of Claims 1-30 as amended.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2581.

Respectfully submitted,
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